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THE
LEASING OF THE ST. JOHN
SALMON RIVER

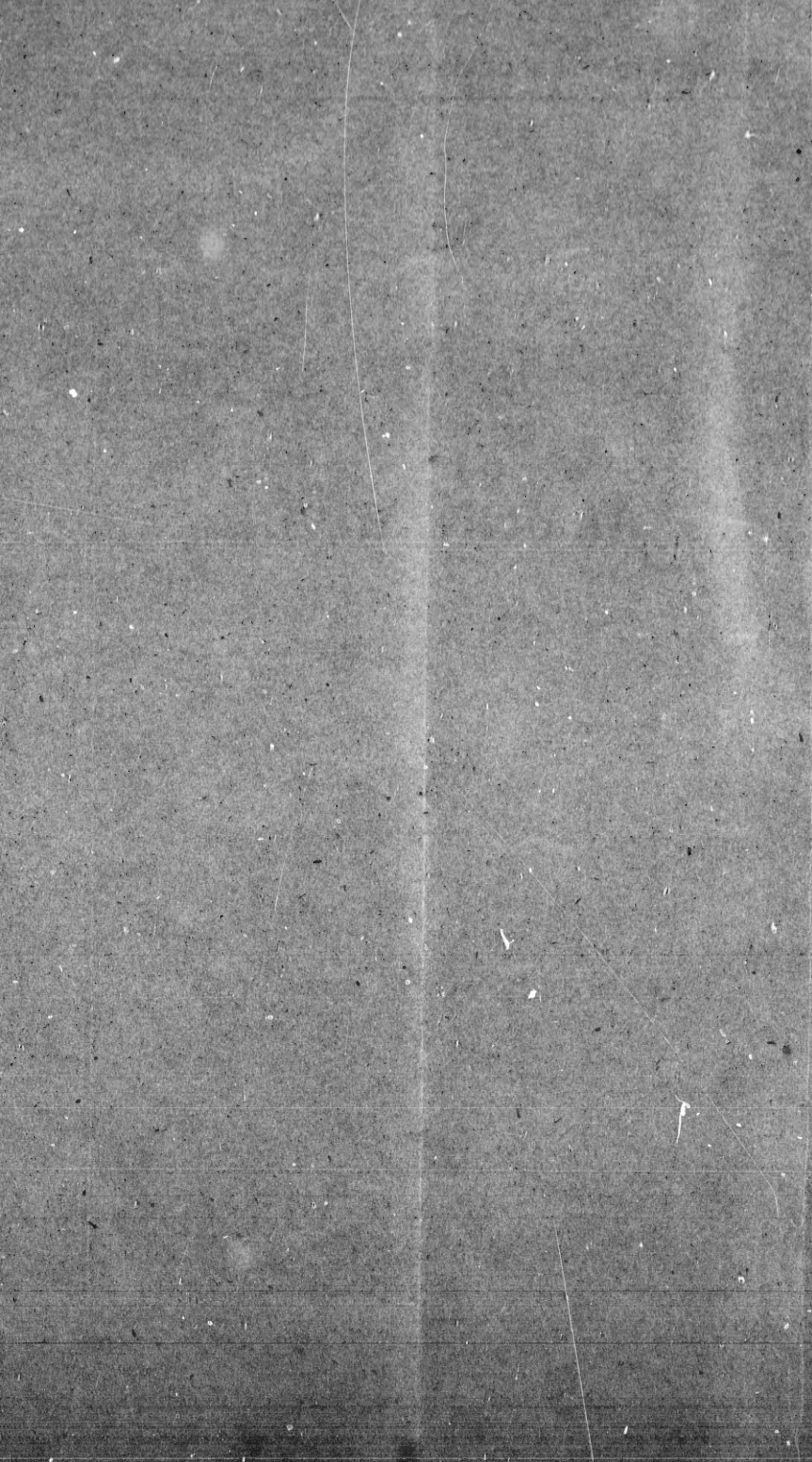
FOR 1866.

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EPISODE IN THE  
EXPERIENCES OF AN ANGLER.  
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MONTREAL:

PRINTED BY J. C. BECKET, 84 GREAT SAINT JAMES STREET.

1867.



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The correspondence now printed seems to require some explanation, and in giving it, I beg to say that it is with considerable reluctance that I decide on placing it before my friends.

It refers to a matter of a purely private nature, most unwarrantably imported into a public discussion, by persons from whom I had presumed to differ in opinion.

The dispute is an episode in the great Salmon Net Squabble, which sputters every now and again into temporary fury in some direction or other, and in which the writer has only taken a very unimportant share. That share has been confined to criticism on the Annual Reports of the Quebec Club and the productions of its Secretary, which I have always believed to be damaging to the best interests of the sportsmen of Canada.

It never occurred to me that I had thereby earned the animosity of the Club or any of its members, and it was therefore somewhat of a surprise—and not an agreeable one—to find myself one day last summer referred to in the pages of a sporting paper in terms by no means flattering, and at a later period, to learn that the Secretary of the Quebec Club had set himself to enquire into my private affairs, with which he had, neither officially nor individually, any concern.

The circumstances were these :—

In January last year I applied to the Department for the lease of a Salmon river, and in reply was offered the St. John at the annual rent of \$250, payable each season in advance; after considerable demur, for I knew it had last been let for \$75, I took it for nine years, and paid the season's rent.

That no favour was done me the terms proved, on the contrary, I believe a hard bargain was driven with me, and had I known that it had previously been offered to other parties for \$200 and refused, as I now learn from the correspondence, I too might have declined it.

Considerable preparations had been made by me for an expedition

to the river, when I found that business engagements would entirely prevent my leaving Montreal in time, and in accordance with a common practice and the clearest right, I sub-let the fishing for that season to an American angler.

In the party which fished the river was a Mr. Genio C. Scott of New York, who on the way down spent some time in Quebec, and left that city fully imbued with the Club's views on nets and net-fishing, and apparently with the worst possible opinion of some gentlemen (myself included) who, as it happened, had criticised the utterances of the Club.

Immediately on his return he published in a well-known New York paper, a very elaborate series of articles descriptive of his trip, in which my name repeatedly appeared. In Part IV he says, "Our company of four anglers with rods paid to Mr. Drummond of Montreal \$300 in gold for the fluvial part of the St. John river, being almost as much as was paid to the Canadian Government for the estuary;" and in a subsequent number,—"I hear also that sharpers are not wanting who hire rivers from Government to speculate on."

These allusions are unmistakeable; but that no doubt might exist of his intention of making an offensive charge, there shortly appeared a characteristic letter from him, in reply to a correspondent who signed "Sportsman," from which I extract the following:—"I do not know the person who uses the *nom de plume* of 'Sportsman,' but I am informed that he hired the salmon river which our party fished last summer for \$80, and that he gave it up in the fall of 1865, when it was let to another person for \$250, and this person let us have it for \$300; whether 'a nigger in the fence' may be evolved from these facts, of which I know nothing except through gentlemen of Canada, or whether the lessees of estuaries and shores for netting have employed him to advocate the use of stake-nets as a protection to salmon, I know not." Mr. Scott's assertion that he did not know 'Sportsman,' and objected to his anonymous character, met with subsequent disproof. The whole of his insinuatory allusions were marked by a marvellous lack of discretion and gentlemanly feeling, but they were principally interesting as evidence of the proceedings of the "gentlemen of Canada" who originated them. If these persons were other than the officials of the Quebec Club, the evidence is sadly astray and I do them great injustice.

No notice having been taken by me of Mr. Scott's insinuations, the

Secretary of the Club proceeded to address a letter to the Honorable Commissioner of Crown Lands on the same subject. The replies elicited and subjoined are so explicit as to save me the trouble of saying one word on the facts of the question.

That the officials of the Quebec Club had the hope of extinguishing criticism and punishing opposition as a motive for their proceedings is plain enough. Its last Annual Report gravely states that "attacks on it have been invariably traced to parties having a pecuniary interest in destructive modes of fishing, or in concealing the abuses it is the province of this Club to denounce," and this way of disposing of all difference of opinion, and warning off all future opposition, seems to the officials of the Club so clever and effective that they proceeded at once to apply it to my case.

The President and Secretary appear to have suspected a good many frightful things, which are by no means clear at least in their written statement of them, and they seem far from agreed as to what charge they will advance, whether I alone, or the Department through me, or Mr. Watt the former lessee, or some two of us, or all together were to be attacked;—it is amusing to notice that both of them in writing to the Honorable Commissioner, disclaim the slightest suspicion of any one in the Department, and apologize fervently for any annoyance which has been given, while to me the President expresses a very low opinion indeed of the Department, which, only consideration for me (he says) prevented his exposing.

It may save some future trouble to say that neither Mr. Watt nor any other person has now or ever had the slightest connection or interest with me in my lease. The attempt of the Secretary to avail himself of the *quasi* official position conferred on him by a little knot of private persons to exercise a censorship on personal affairs, is so monstrously impudent that it is almost unlucky he should have been at the same time so unfortunate in selecting an opportunity. His insinuations could not in the least affect me; the charge at worst is absurd in the highest degree, and I treat it as a curious example of the extent to which controversial rancour can go.

Dismissing this unpleasant subject for the time, I shall refer briefly to the general question.

I think the Quebec Club seriously to blame, in the agitation it has laboured at for a year or two, for persistently endeavoring to

impress the public mind with at least three false ideas:—

1st. That the Salmon Fisheries of Canada were thriving up to the time when the present law and management came into existence.

2nd. That they are declining now.

3rd. That the fixed-nets now in use bar the rivers, and prevent the ascent of the Salmon to their breeding grounds.

I may be allowed a word on each of these vital points.

First, then, is it true that the salmon fisheries were thriving up to 1858, when the present law and department came into operation?

The late Col. Bouchette, Surveyor General of Lower Canada, writing about 1830 (*"Topographical Dictionary"*—Article Saguenay) says:—"The number of salmon now taken is much less than formerly only 3500 [fish] are annually caught in the whole extent of the King's Posts, including the Saguenay and its tributaries as far as Chicoutimi." The King's Posts extend as far east as Mingan and thus include the Moisie and other of our best rivers.

The appendix to a well-known book, *"Salmon Fishing in Canada,"* contains a paper on *"The Decrease, Restoration, and Preservation of Salmon in Canada,"* by the Rev. Dr. Adamson, written in 1856, and the writer, who is probably the most experienced angler in Canada, gives two reasons for the "deplorable decrease" then existing, and these are: 1st. Over-fishing at all times and seasons, and 2nd. The construction of impassable mill-dams. There is a paper in the same appendix from the pen of Dr. Henry, without date, but, as he fished in Canada between 1830 and 1839, it must have been written many years before the preceding. He also speaks of the "alarming decrease," recommends a close-time carefully enforced, and adds the following remarkable sentence:—"Indeed if matters go on as at present, salmon which are even now sold at a high rate in the Quebec market, will, in all probability, before many years pass, become so scarce and dear, as to be quite beyond the reach of the community." From the body of this work (published in 1860) I take the following noteworthy passage;—"It is a melancholy fact that the extermination of this noble fish, has been commensurate with the civilization and settlement of the country." "The spear of the Indian would never have accomplished this, the gill-net of the settler would never have effected it, the fly of the angler would have revolted from such an outrage, the whole evil has arisen from neglect in the formation of mill-dams."

Later and more circumstantial evidence is however furnished by the late Superintendent of Fisheries for Lower Canada, who, on his appointment under the new law in 1859, inspected the rivers, and reported as follows: "I found havoc and destruction being carried on in all places. * * * Schooners trafficking in salmon taken on their spawning beds, and the fish often weltering in their spawn. * * * The whole of the salmon fisheries were given over to destruction, no law, no system, no order, and the only object in view, appeared to be the capture of the fish. I found the Moisie a valuable salmon river with about 12,000 fathoms of net set in it. The Goodbout fast verging to destruction by netting and seining above tidal waters. The St. John, the Natashquan, and a dozen minor rivers almost denuded of fish; the Mingan with scarcely a fish in it."

The decay of our fisheries therefore was going on from the settlement of the country until the inauguration of our present system, it began in the period of no law, it continued in the time of inefficient law, and it increased under the operation of bad law, (the last of which was 18th. Victoria cap. 114, which the Secretary of the Quebec Club approves of highly). The "alarming decrease" of Dr Henry's time had become a "deplorable decrease" in Dr. Adamson's, and streams in which Dr. Henry had good sport were fishless when Dr. Adamson wrote. The present Fishery Department, when it came into existence in 1859, inherited on the above evidence a barren patrimony and we must now consider how it has dealt with it.

Second.—The act of 1857 met the case with provisions, in the main judicious. It had many defects: not preventing nets in fresh water, nor spearing, and in making each occupant of a fishery absolute owner, etc.—were some of them.

The amendments to that act (29th Vict., chap. II.) passed last year, made extensive changes:—"Fishery overseers are appointed; summary powers to compel the erection of fish-passes over mill-dams are obtained; a strict close-season is enacted, being nine months each year for net fishing, and eight for rod fishing; the capture of parrs, smolts, and grilse under 3 lbs. weight, is prohibited; an open period of 36 hours each week is provided for; spearing is prohibited; and last though not least important, there exists the following clause:—"Bag-nets, trap-nets and fish-pounds are prohibited, except for catching deep-sea fishes, other than salmon; and no net or other device shall be so placed as to obstruct the passage of fish to and from their accustomed resorts for the purpose of spawning and increasing their species."

The Quebec Club devotes itself to prove that our fisheries are steadily declining, and their evidence is this and never anything else :—In 1859 Captain Fortin (Government Officer) reported that his estimate of the total catch for all Lower Canada was 3,500 to 3,800 barrels while in 1865 he estimates the catch at 1,832 barrels, or as near as possible one-half only.

This seems conclusive, but the explanation is much more so, it is this :—*The means of catching salmon have been reduced* by the Department in a *much larger ratio* during the same period in pursuance of a policy of nursing and restriction inaugurated and rigidly enforced by it. (See letter No 12, appendix.)

During this period, many rivers have not been fished at all with nets, nor supplied one fish to our markets. The propriety of this as a remedial measure I do not question, but it certainly does not surprise me that the fish cannot be in the rivers, and be barrelled to swell the Inspector's account, at one and the same time. The Quebec Club is, in effect, protesting against this policy of resting rivers and closing up salmon stations.

Why is the evidence of Anglers who have visited the rivers not adduced as to the scarcity of fish. It is a matter of notoriety that in most of our rivers larger angling scores have been made during the last year or two than ever before. Till they do so I must avow my belief that it is rank nonsense to assert that salmon are decreasing, something worse to reiterate it after periodical refutation.

Third, —Since salmon are actually increasing in our waters, it seems scarcely necessary to prove that the nets now permitted do not act as barriers preventing the annual ascent of salmon to their breeding grounds, because every body knows that extinction of the fish and must inevitably follow if they were so prevented.

The law is explicit enough.

The 29th Vict. Sect. 6, Clause 4, says :—"The main channel or course of any stream shall not be obstructed by any nets or other fishing apparatus : and one-third of the course of any river or stream, and not less than two-thirds of the main channel at low tide in every tidal stream, shall be always left open and no kind of fishing apparatus or material shall be *used or placed* therein." This seems perfectly plain, and, if observed, would obviate any reasonable objection. Is it enforced ? The Quebec Club endeavours to prove that it is not, and insists strongly on the idea that the nets now permitted,

seal up the rivers with impassable barriers, preventing all but a few fish in a wounded condition, from penetrating to the upper waters. I quote one of the Secretary's illustrations: "To state that fixed-engines, stake-nets and brush-weirs are not injurious, is to assert that a wall built across Notre-dame street, or other public thoroughfare, *would not intercept* the traffic." This is a very strong statement and is corroborated by an independent eye-witness, Mr. Genio C. Scott, who, on reaching the St. John river from Quebec, saw the thing with his own eyes, and describes it in language nearly as strong. He says:—"The river is nearly two miles wide, with a channel about a half mile wide. Stake-nets for taking salmon appear at *short intervals all over* the river, except in the deepest part of the channel. In fact, so eager were the netters to cover *all* the salmon-approaching points in the estuary (which includes the river from the mouth to twelve miles above), that the close weft of their nets so dammed the river, that in one freset, a few days before the arrival of our party, many hundred dollars worth of nets were swept away. The law prohibits stake-net fishing on Sunday, the nets to remain in the river from Monday morning at six o'clock to Saturday night at six. The stake-net fishermen profess to think that they should have the right to fish on Sunday, and thus *block up* the river all the season while salmon run, which is from a month to six weeks. They do not seem to care for the consequence of preventing *every salmon* from going up to the headwaters of the river to spawn, any more than the boy did that killed the goose which daily laid a golden egg." And again:—"the seal eats merely the heads of salmon, leaving the mutilated fish fast in the nets, to frighten back to the sea all salmon that get a glimpse of their cruel destiny. If nets are to be employed, they should not be set in the mouth of the river or along the shores of the gulf. There should not a net be set in the river within a mile of its mouth, and those above this mile should not extend above tide water, or into the fluvial part of the river. Mr. Beaulieu, as representative of the Government in this matter, decides what part of the river shall be called fluvial, and what part estuary; and for the St. John, he has decided that the estuary extends from *the mouth to twelve miles* up the river. Now, supposing the upper line of the estuary to remain where it is, then if the lower end of the estuary was decided to be two miles above the mouth of the river, and if the salmon way, or Queen's gap as it is termed in English Law, should include all the current in the river, and at least half the width of the river, or even

one-third, the *netting of the ten miles* of estuary would not deplete the river nearly so fast as it does now, and the present generation might continue to hope for a supply of salmon, even though it should annually become more scarce and dear."

This account is so circumstantial and so alarming that if true it prove conclusively two things:—1st, That the illustration of a wall across Notre-dame street was almost correct and all that had been alleged against the present system was justified; and 2nd, That my rights in the upper river were not worth much. I applied for and obtained an official map of the river with the nets set in it last season, this map is appended and will repay examination. The results of measurement I now give with Mr. Scott's statements in contrast:

MR. GENIO C. SCOTT.

"The river is nearly two miles wide, with a channel about half-a-mile wide."

"Stake-nets for taking Salmon appear at short intervals *all over* the river except in the deepest water of the channel."

"The close weft of their nets so dammed the river that in one freshet, many hundred dollars worth were swept away. They do not seem to care for the consequence of preventing *every salmon* from going up."

"The estuary [*i. e.* net limits] extends from the mouth to twelve miles up the river." "From morning to midday we threaded the intricate nets, thankful finally that we had passed those impediments, and wondering how any anxious salmon could so navigate as to get above the labyrinth of nets."

FACT.

Width at entrance less than half-a-mile; average width inside, also less than half-a-mile; extreme width at the bay inside about three-quarters of a mile; average width of the channel less than a-quarter of a mile.

The number and extent of the nets set, appears on the plan, and is *ten*; all of which are on the east bank of the river except one which is in the branch.

Average clear unobstructed distance from the outer end of the nets to the opposite bank, 500 yards. Narrowest space left free of nets or obstructions of any kind 250 yards.

Distance from mouth of the river to fishing limit about four miles; distance from mouth of the river to highest net three miles; distance from Beaulieu's (whence canoes start) to highest net a little over two miles, — a half hour's journey for any well manned canoe,

I fear Mr. Scott must be dismissed with a caution ;—seeing double is not uncommon, but an estuary twelve miles by two miles coming down to only four miles by less than half-a-mile is on strict principles, a little too much ; and “dammed” with stake-nets too, with “anxious salmon” caught by the tail, and “seals eating their heads merely”—affecting picture !

No other nets or other method of fishing (except angling) besides those shown on this map, is permitted in this river, and the salmon can penetrate to its upper waters without the least artificial obstacle or hindrance. No nets are now placed outside the mouth of the river for many miles on either side.

We have had a good deal of English sympathy lately on the ruin of our fisheries, elicited by the statements of the Quebec Club, and it may be interesting to compare the obstacles to the ascent of a salmon, presented in a fair specimen of a Canadian river under Canadian law, and in a British river under the latest legislation of which we have heard so much. It is as follows :—

SEVERN (ENGLAND).

Number of nets and engines employed in 1864 :	
Weir trap.....	1
Hedges leading into nets	10
Draught nets.....	57
Stop nets.....	20
Lave nets.....	500
Putts.....	1,200
Putchers.....	10,000
Total	11,788

Legal size of mesh in England, two inches from knot to knot.

Legal fishing time seven months.

ST. JOHN (CANADA).

Ten stationary nets measuring in all about 1600 fathoms.

Nets used on the St. John three and a quarter inches from knot to knot—nearly thrice as large.

Legal fishing time three months.

The river St. John is thus not unduly fished, and there are abundance of fish in it. The guardian on the river reports, that “the upper part of the river is one moving mass of salmon in the breeding places.” Another gentleman who accompanied Mr. Scott, writes me :—“In regard to the net fishing at the mouth, I do not agree with Mr. Scott as to its evil effects ; I think he greatly exag-

gerates as to its destructiveness ; though we were two weeks too late for the best fishing, we found the one pool we visited filled with salmon, plenty of them, as many as any angler could wish."

The Natashquan and the Moisie, rivers similarly netted, are also full of fish, and heavy scores have been made on each of them ; the lessee of the first named killed in 1865, to his own rod on single gut in 18 days, 212 Salmon weighing 2,080 lbs. ; in 1866, in the same time, 156 Salmon, a decline he attributed to his being too late on the ground by a fortnight. The St. John was fished in 1865 by two rods, and in one day they killed 35 Salmon, seven of which weighed from 21 to 27 lbs. each.

Facts like these, are worth any quantity of such arguments as the Quebec Club furnishes ; they prove our system to be working well, and that under it the fisheries are now vastly better than they have been for many years.

Sportsmen may have different opinions of methods of fishing and the probability of their successful application to this country ; it is their distinct right and duty to watch closely the operation of the Law and to criticise it freely ; but the unscrupulous methods pursued by the Quebec Club, can have but one effect, and that is to lessen the influence of sportsmen in this matter.

Seining in salt-water might, I think, be fairly tried ; brush-weirs are, in my opinion, an unmitigated nuisance ; but it is lucky that the present law is most ably and energetically administered by gentlemen who, sportsmen themselves, are thoroughly aware of the errors and deficiencies yet to be remedied.

G. A. D.

MONTREAL, MAY, 1867.

APPENDIX.

1.—Mr. Austin to the Commissioner.

Quebec, 23rd January, 1867.

SIR,

Representations having reached the Fish and Game Protection Club for Lower Canada, that the fluvial portion of the river St. John, on the north shore of the St. Lawrence, had last summer been made the object of a private speculation on the part of the Government lessee by a sub-lease, with the approbation or consent of the Honorable the Commissioner of Crown Lands, or by some one of the officers of the Fisheries Department; I have the honor respectfully to enquire whether any approval or consent to such sub-lease was given either by the Commissioner or any other officer, and by whom, connected with the Department?

As these representations are constantly adverted to, it is desirable that this Club should forthwith be placed in a position authoritatively to deny that any portion of the public property administered by public trustees, had been allowed to form the object of private speculation.

I have the honor to be, Sir,

Your obedient servant,

F. W. G. AUSTIN,

Secretary, etc.

The Honorable the Commissioner }
of Crown Lands, Ottawa. }

2.—The Commissioner to Mr. Rhodes.

Department of Crown Lands,

Fisheries Branch,

Ottawa, 28th January, 1867.

SIR,

The Commissioner wishes to know if the letter of which the

enclosed is a copy, has been written with the knowledge and approbation of yourself and other gentlemen associated together as the Fish and Game Protection Club of Quebec.

I have the honor to be, Sir,

Your obedient servant,

W. F. WHITCHER,

For the Assist. Commissioner }
of Crown Lands. }

W. RHODES, ESQ.,

President Fish and Game

Protection Club, Quebec.

3.—Mr. Rhodes to the Commissioner.

Quebec, 31st January, 1867.

SIR,

I beg to acknowledge the receipt of your letter of the 28th inst. asking whether a letter of which you furnish a copy dated 23rd inst. and signed by F. W. G. Austin, Secretary, has been written with the knowledge and approbation of myself and other gentlemen of the Fish and Game Protection Club of Quebec.

In reply I have to inform you, that the letter was written by the Secretary alone, to enable him to explain publicly what I believe to be untrue. I should not have suggested the writing of such a letter, because knowing the St. John river had been leased to Dr. Duff for \$40 in 1864, and to Mr. Watt for \$75 in 1865, I thought it very extraordinary that some American gentlemen, friends of mine, should be charged \$300 in gold for it in 1866. The inquiry I made obtained for me the reply, that the St. John had been leased privately to Mr. Drummond in 1866 for \$250, but I was not to use this information either for or against the Department; this satisfied me that an inhospitable act had not been levied upon my friends.

The circumstance, however, has been a good deal discussed in the Garrison of Quebec, owing to the fact of one of the American gentlemen being a general officer of the U. S. army, and from the St. John having been first fished by an officer of this Garrison. Why

the information given me was accompanied with "private and confidential" and a mystery made about Mr. Drummond's name, I do not know; I was satisfied black-mail had not been levied upon my friends, so I let the matter drop. There is, however, a very prevalent opinion amongst American sportsmen that we keep our fishing rivers for officers of the British army, or for the personal friends of the Canadian Government; the letting of the St. John for \$300 in 1866 when Mr. Watt was offering it to Dr. Duff for \$75 in 1865, and getting the river refused at that price, appeared to confirm the American opinion.

The Fish and Game Protection Club, however, think these lettings of rivers ought to be made public; or if let privately it ought to be for some well-known public service in connection with the salmon fisheries, such as have been rendered by the lessees of the Good-bout, the Jacques Cartier, or the Ste. Marguerite rivers. Why Mr. Drummond's name should be connected with the St. John river in 1866 is alone known to the Department, as the river was paid for and fished by other gentlemen.

It is not however within the province of the Club to enter further into the fishery question, than to protect sportsmen from imposition and the fish from destruction. I am therefore of opinion it would have been better if Mr. Austin's letter had not been written in the name of the Club; it is, however, proper to state that I have never made any public explanation of the real way the case stands, being debarred from doing so. I am sure Mr. Austin will regret, together with myself, if his letter has in any way been an annoyance to the Department, which he never contemplated,—it is not in this way we hope to promote reform in the management of our fisheries.

I have read Mr. Austin this letter, who was not aware of the foregoing facts, as, for the reason stated, I never communicated them to him.

I have the honor to be, Sir,

Your obedient servant,

W. RHODES,

President Fish & Game Protection Club.

The Honorable the Commissioner }
of Crown Lands, Ottawa. }

4.—Mr. Austin to the Commissioner.

Quebec, 1st February, 1867.

SIR,

Colonel Rhodes, the President of the Fish and Game Protection Club for Lower Canada, has just read to me a letter containing certain facts touching upon the various rumours which have been in circulation in this city and heard by me, I think, in July last, connected with the sub-leasing of the angling on the river St. John, by a Mr. Drummond, for the sum of \$300 in gold. I was altogether unacquainted with these facts at the time I solicited the information asked by my letter of the 23rd instant, which I did with the desire of contradicting these rumours, as sportsmen naturally apply to the Club not only for information and explanation, but for the removal of any cause creating inconvenience.

I infer from your transmitting to the President a copy of my letter, in which I do not yet see the least incongruity, that you had taken umbrage at its contents, which, perhaps, viewing them only in a strictly unfavourable light might be warranted. I feel it therefore due to myself (assuming the contents of my letter might possibly be so construed) at once to disclaim any intention of conveying the slightest insinuation, as the Secretary of the Club, or as a private gentleman, upon you or any officer of your Department, and therefore now also beg leave to withdraw the letter referred to and thus leave the rumours unexplained.

I have now but to express the hope that, with the foregoing explanation, accompanied by the retiring of the letter, that you as well as the fishery officers, will accept with the same cordiality with which it is adopted, the course I have deemed it due to myself to pursue, in removing impressions never contemplated.

I have the honor to be, Sir,

Your obedient servant,

F. W. G. AUSTIN,

Secretary, etc,

The Honorable the Commissioner }
of Crown Lands, Ottawa, }

5.—The Commissioner to Mr. Austin.

Department of Crown Lands,
Fisheries Branch,
Ottawa, 15th February, 1867.

SIR,

Since you perceive nothing objectionable in your letter of 23rd ultimo, the Commissioner sees no reason for you to withdraw it, but, as it refers to "rumours" which are enlarged on in the letter of 1st instant, written as "Secretary, etc.," and in one from the President of the Fish and Game Protection Club of Quebec, it is better to dispose of the whole correspondence.

Evidently you knew of the leasing of the angling division of the river St. John, and that the occupation of it for last summer had been sub-let by the actual lessee; and it cannot be possible that you regard the propriety of a fishery lessee exercising his right to sub-lease as open to individual opinion, or that it is a legitimate subject of animadversion for sportsmen's clubs. The practice of sub-leasing is of common occurrence among lessees of fishings, who may be themselves prevented by business engagements or other causes from fulfilling an intention to fish during any season. This Department exacts specified rents in advance, and is not at all concerned about the conditions (as to rental) on which sub-letting takes place, requiring merely that the rivers shall be occupied by parties who can be relied upon to observe the fishery laws and abstain from any practices injurious to the fishery.

Therefore, your letter could imply nothing else, than that some collusive arrangement had been made through officials charged with the disposal of public property. The obvious impropriety, in this instance, of conveying an accusation so grave, is certainly not lessened in view of the very simple means by which you might at any time since "July last" have so easily disabused your mind of suspicions that seem to cause the Club such serious concern.

Whilst formal notice cannot of course be taken of the generally unfounded statements that are made from time to time in various ways regarding the fisheries and the fisheries' service, this Department can always, when necessary, make such authoritative denial as the public interests shall require.

Referring to the remark that sportsmen naturally apply to the

Club for information and redress, occasion is taken to call your attention to the following from *Wilkes' Spirit of the Times*, dated 18th August last :—

“ On application being made to F. W. G. Austin, Esq., of Quebec, any unlet river may be obtained by a citizen of the United States, on the same terms and for the same price that it could be hired by the most loyal subject of the British Crown.”

Although this reference has not escaped your notice, it does not seem to have struck you as singularly needing immediate correction. What can you, or the Club, have to do with the letting of fisheries, or with giving information and affording explanation about matters with which this Department is charged ?

It is not surprising that false impressions have prevailed among strangers, and, besides deriving confirmation in the manner related by the letter of the President of the Fish and Game Protection Club of Quebec, have found expression in the public prints.

I am, Sir,

Your obedient servant,

A. RUSSELL,
Assist. Commissioner.

F. W. G. AUSTIN, ESQ.,
Secretary of the Fish and Game
Protection Club, Quebec. }

6.—The Commissioner to Mr. Rhodes.

Department of Crown Lands,
Fisheries Branch,
Ottawa, 16th February, 1867.

SIR,

With reference to your letter of the 31st ultimo, I enclose a copy of the reply to other two letters from the Secretary of the Fish and Game Protection Club of Quebec, which to some extent answers your present letter.

The Commissioner's object in asking from whom the letter of 23rd ultimo had emanated, was to ascertain the origin of implied col-

lusion—if it really had any other foundation than idle rumour or street gossip. He regrets to observe by what means impressions and rumours of official preference or malfeasance have been created from trivial occurrences of a common-place and quite correct nature, every particular of which you could at any moment have learned by applying to this Office. There was not, nor is there now, the slightest objection to making known all facts connected with the renting of the river St. John; and, perhaps, in justice to the persons whose names are mentioned in your letter, and with reference to whom offensive and unjust remarks have been made, the circumstances might as well be here stated.

Under public notices issued at different times since 1858, the fluvial division of the river St. John has been offered to rent. Nobody applied for it. The belief was almost universal that it was a sulky river and unfit for angling. In 1860 Mr. Whitcher, of this Department, explored the stream, trying it everywhere as a fly-fishery; and after examining the pools by torchlight, and proving them with artificial flies, he reported it to be, in its upper parts, an excellent stream, with many superior facilities for angling. But he also found that by spearing and netting at the falls (nine leagues from the sea), by dragging the spawning beds, by seining the pools, and by barring across the eddies and tributaries with gill-nets, immense numbers of breeding salmon had been killed during August and September, in addition to those killed along the estuary and middle course in June and July; so that the fishery was ruined. There were four different fishing and curing establishments (for the summer and autumn) on these upper waters: one nine, one eighteen, another twenty-seven, and the farthest fifty-four miles above the tideway. On his report a stop was immediately put to such ruinous practices, and the seizures he had made of great quantities of materials used at these upper fisheries were confirmed. The immediate reduction by him in that year of limits for the net fishery to an extent of only four miles from the mouth of the estuary, was also approved. Mr. Smythe of Ottawa fished it in 1861, but found the river had been so depleted in previous years that there was yet very indifferent sport. It remained vacant and uncalled for until 1863, when Capt. Collingwood and Dr. Duff of the Royal Artillery, and Capt. Savary of the 47th Regiment, were induced on Mr. Whitcher's representations to fish it. They did so under season license at \$40, which they had the option of converting into a lease at an increased rental, should they find the fishing satis-

factory. This privilege was not afterwards availed of. In 1864 it was let by public tender to Mr. Watt of Montreal, for five years at \$75, his being the only offer. Unable to fish it himself, he sub-let it, by official consent for that season, to Captains Collingwood and Maitland and Dr. Duff, at the same rent. The lessee himself fished it in 1865. He found it a distant river and somewhat difficult of ascent, and so stated to Mr. Whiteher. Knowing the river was full of salmon and had increased in value, a proposal was at once made for him to relinquish it. He did so in the autumn of 1865. It was then offered at \$200 to several parties who had been unsuccessful tenderers for other streams, under the advertisement of 1864; they declined, owing chiefly to its distant position, the high rent and cost of guardianship. In 1866 Mr. Drummond of Montreal applied for a river, and was persuaded to take the St. John under lease for nine years at \$250, the then current year being paid in advance, on execution of lease. (You err in stating that the rental was paid by the sub-tenants.) A guardian was engaged by him and sent from Gaspé Basin early in the summer-time, with canoes and building materials for shanties, etc. Mr. Drummond afterwards represented that business exigences would prevent him from fishing it then, and applied for consent to sub-let the fishing. The Department being satisfied of the respectability of the parties named, consented, and it was sub-let to an American gentleman at \$300; all of which the lessee had a perfect right to do.

What is meant by the river having been let "privately," I fail to understand. The Department disposes of these fishings to the best advantage on written applications,—and experience proves it to be a much more expeditious and cheaper way, more profitable to the public and fairer towards individuals, than the lottery of tender, or the speculation of auctions.

The "private and confidential" intelligence you allude to was certainly not procured here, as there is no privacy about any such transactions, and the Department has nothing to conceal. Public interests had in this case been duly considered, in obtaining an enhanced rent for the fishery and at the same time securing a desirable tenant.

If American sportsmen are encouraged in the belief, that salmon rivers are kept exclusively "for British officers and personal friends of the Canadian Government," it may be matter

for regret to all persons concerned in the good name of Canadians charged with administering such public properties, but this opinion is assuredly not confirmed by any facts. During five years the fly-fishing of the best river on the coast—the Moisie—was held by anglers from Boston. The Natashquan, another excellent stream, is now held and has been fished for several seasons past, by an angler from Philadelphia. No United States citizen has ever been denied a fishery, and not one has at any time been disappointed in applying to this Department. The intimation of favoritism towards friends etc. suggests, that the origin of such an opinion as you say prevails among Americans is scarcely foreign.

As you indicate that a part of the mission of the Fish and Game Protection Club of Quebec, is to remedy abuses connected with Fisheries, the Commissioner takes this opportunity to draw your attention to the reckless statements and unfair arguments continually reiterated in newspapers, pamphlets, reports, etc., which being identical with those used in correspondence with this Department, and such as have been repeatedly corrected or explained, must, it is presumed, proceed from a common source.

While there can be no objection to fair and specific criticism, and the dissemination of correct data, it should be obvious, that wild assertions of ruin, and general charges of neglect, preference, corruption, waste, etc., cannot possibly advance the cause of protecting and improving our fisheries, and are not at all calculated to promote the views or influence of your Society, nor to ensure harmonious action with this Department and its numerous officers.

I have the honor to be, Sir,

Your most obedient Servant,

A. RUSSELL,

Assist. Commissioner.

W. RHODES, Esq.,
President of the Fish and Game
Protection Club, Quebec. }

7.—Mr. Drummond to Mr. Rhodes.

Montreal, 4th March, 1867.

W. RHODES, Esq.,
President Fish and Game Club, Quebec.

SIR,

Of course I have been for some time aware that Mr. Genio C.

Scott of New York, one of the party by whom the river St. John was fished last summer, had, since his return, been writing in such a manner as to convey the idea that he had been badly treated by some parties in Canada, and had become aware of the facts through information furnished by gentlemen in Quebec.

I also have long known that you were an active party in instituting enquiries in the same direction, through members of the Legislature.

Within a few days I have obtained, by official application to the Honorable the Commissioner of Crown Lands for copies of any letters which may have passed on the subject, copies of your letter of 31st January, and the reply thereto.

I now understand that Mr. G. C. Scott was sent from Quebec with the idea that he had been swindled, that black-mail had been levied on him and his party, and an inhospitable act committed, the latter charge more serious as being directed against a stranger and an American, the whole being suggested to him by "gentlemen of Quebec."

I presume you to be one of these gentlemen, and upon this belief I now write you, to point out the extreme impropriety of their conduct, because no one in Quebec had any knowledge of the facts; and all the statements furnished to Mr. Scott, and which he was weak enough to believe, were quite contrary to fact as you now admit, and could only have originated in uncharitable suspicions.

But even on the assumption that you had no part in originating these calumnies, your action, so far as I now understand it, was scarcely consistent with the apparently friendly relations existing between us. Had you applied to me, I could promptly have furnished the facts, but you took steps which seem to me to prove a desire to propagate, much more than to remove this feeling against me. And when you obtained information which removed your suspicion, you abstained from even an expression of opinion which would so far have made amends, and would certainly have prevented your Secretary's letter from being written.

You now understand that I leased the St. John by tendering for it, and paying for it the handsome rent of \$250, nearly four times what it rented for before. I took it for my own fishing, and failing that, do not propose to allow any one to interfere with my disposal of it.

I do not intend discussing your suggestion that these rivers should be allotted for "well known public services in connection with salmon fisheries," which no doubt indicates a desire among the officials of your Club to have them distributed at easy rates among themselves, but I take distinct objection to your remark about my name being erroneously connected with the river. My name was connected with it, because, as already explained, I lease it and pay the rent. You knew the fact perfectly because you were told of it by myself.

The charge, at worst, was a very silly one, and I have not hitherto noticed it, but the official form given to it by your Secretary, has, while procuring its refutation, made it necessary for me to express my opinion of it and of those who uttered it.

Mr. Wood, to whom I rented the river, has written to me expressing his extreme mortification and regret at what Mr. Scott has written, and assuring me that no such idea was ever entertained by him.

I am,

Your most obedient servant,

GEO. A. DRUMMOND.

8.—Mr. Rhodes to Mr. Drummond.

Quebec, March 8, 1867.

G. A. DRUMMOND, ESQ.

DEAR SIR,

In your letter received on the 6th inst. I do not think you do me full justice; I of course make allowance for your feelings as I think you have some cause to complain.

The St. John was first leased to Dr Duff and others for \$40, who were solicited to try it by Mr. Witcher, the second year, by introducing the name of Mr. Watt, Dr. Duff had to pay \$75; the third year the Doctor refuses to lease it, though offered it by Mr. Watt; the next we hear of this river is that it has been leased for \$300. At this point I make enquiries to ascertain if the Department was getting the money, as I have no hesitation in saying I thought the transaction a most improper one to practice upon sportsmen visiting Canada for the first time. My enquiries led to

the information that Mr. Watt had given up the St. John in September 1865, and that you had leased it in February 1866 for \$250, no mention was then made of a nine years lease. This was the first time your name was mentioned, *I therefore let the matter drop*, because I knew you to be a public writer in favor of the Department at or about the same time you were receiving this river, which you, like Mr. Watt, had apparently no intention of fishing, but I did not think it fair to drag your name into an attack upon the Department.

I was also bound over by Mr. Ryan to say or do nothing either for or against the Department.

You will gather from the above particulars that I did not know of your having leased the St. John except through Mr. Ryan; that I think the Department responsible to you for keeping such transactions from the knowledge of the public; that when I saw any attacks on the Department relative to the leasing of the rivers would involve you and Mr. Watt, that I refrained from making them.

The enquiries I made through Mr. Ryan were for my own private information, I did not speak to Mr. Austin about them, as he was not one of a party in the barracks when the reading of Dr. Duff's journals disclosed the prices paid for fishing on the St. John by previous fishermen.

I do not understand how you "tendered" for the St. John. I am informed you were offered it, that after due pressure you accepted it, the transaction being one from which the public were excluded.

You are quite in error in supposing any persons in the Quebec Club are anxious to obtain rivers except in a manner public to all; we quite understand our position (which your letter reminds us of) that all information relative to rivers becoming vacant is carefully kept from our portion of the community,—you write "no one in Quebec had any knowledge of the facts."

I have no recollection whatever of your speaking to me about the St. John river in 1866; to the best of my recollection I only met you once, on the Bergeronne river. I did not go down to Tadoussac till August, so we could not have met in June, when the Americans were in Quebec, which was about the time I instituted my inquiries. I of course regret that in a matter about sport, gentlemen cannot agree, but the fault is not mine in this case, it is well known

this Fishery Department has killed itself through its own innate bad habits, we must therefore hope better things for the future.

I think, however, if you place this correspondence before a disinterested person, say ———, he will tell you that the sportsmen of Quebec were perfectly right to inquire into a matter they thought wrong on a public subject, that they shewed much consideration for you and Mr. Watt, by not introducing your names in any attack on the Department. That it does not appear Mr. Scott and his party were sent from Quebec with the idea they had been swindled; even by your own showing, Mr. Wood writes, "no such idea was ever entertained by me." I believe they all considered they had some how or other paid more than (again to use your own words) the handsome rent of \$250, nearly four times what it rented before. I do not understand Mr. Scott has said more than this. I admit I do not think the whole thing looks well, hence the reason why I thought it better to drop the inquiry at once.

If your name had not come up so unexpectedly, I should have exposed the Department for imposing upon strangers, those persons being Americans. The above explanation I hope will be found satisfactory so far as you are personally concerned, if not, it possesses the merit of truth to the best of my recollection.

Yours truly,

W. RHODES,

President.

9.—Mr. Drummond to Mr. Rhodes.

Montreal, 11th March, 1867.

WM. RHODES, Esq.,
President of the Fish and Game }
Club of Quebec.

SIR,

When I wrote you last on the 4th inst. I had the hope that you might be able to justify your proceedings, and deprive them of the unfriendly look they had to me.

Your reply of 8th inst., just received, has quite disappointed any such expectation, and, though your letter is apologetic, I am bound to tell you that some of your observations are most offensive.

No good end will be served by discussing any details further, but I beg to say that I wish no consideration whatever from you or

any other sportsman in Quebec in this matter, beyond adherence to facts.

I regret extremely to have to tell you that I think the action of the parties who originated this report affecting my name, was an impertinent interference in private affairs, and that no further opinion of yours in the least concerns me.

I am, your most obedient servant.

GEO. A. DRUMMOND.

10.—Mr. Wood to Mr. Drummond.

Poughkeepsie, N. Y., March 9th, 1867.

GEO. A. DRUMMOND, ESQ.,
Montreal,

MY DEAR SIR,

I have noticed with much regret in the public prints, several allusions to you, made by Mr. Genio C. Scott, who formed one of my party to fish the river St. John last season.

These allusions are generally of the nature of insinuations that you had made our party pay too much for the river, and that as Americans we had felt ourselves inhospitably treated thereby. Now I beg to tell you that Mr. Scott has not, in my opinion, the slightest warrant for saying any thing of the kind, he has done so entirely without my knowledge or consent, and that the other gentlemen who composed my party, never thought or expressed, any thing of the kind, then, or since.

I took the river from you at first, on my own responsibility, and was very thankful to you for the opportunity of getting it. Mr. Scott and others, were subsequently associated in it, knowing perfectly the terms. I did not then, nor did he, think the rent otherwise than reasonable. Indeed, since I have learned that you gave yourself, some months before, the sum of \$250 of rent for it, and had proceeded to provide the canoes and outfit to fish it yourself, I am convinced you could not have made one cent by it, but more probably the contrary, and am confirmed in the opinion I have always entertained, that it was a friendly act, for which, as a brother

sportsman and an American, I felt obliged. Under these circumstances I have felt and expressed much regret at the remarks of Mr. Scott.

In regard to the net fishery at the mouth, I do not agree with Mr. Scott as to its evil effects, and I think he greatly exaggerates as to its destructiveness. Though we were two weeks too late for the best fishing, we found the one pool we visited filled with salmon, plenty of them, as many as any angler could wish. We did not make a large score 'tis true, the weather was against us, clear and bright with scarcely any rain. All the time we were there the river was down very low. Under these circumstances I think we did very well, I for one am well satisfied.

I am, with great regard,

Yours truly,

JAMES G. WOOD.

11.—Mr. Drummond to the Commissioner.

Montreal, 27th February 1866.

ALEX. RUSSELL, Esq.,

Assist. Commissioner Crown Lands.

SIR,

With a view to obtain correct information on a question of public discussion here, I beg to ask a statement from your Department of the number of fixed- or stake-nets licensed annually since 1860, and generally for any information the Department may be willing to afford on these questions:—

Have the appliances for catching salmon been increasing or diminishing?

Have the numbers of fish in the waters under charge of the Department, been increasing or diminishing?

I am, respectfully yours,

GEO. A. DRUMMOND.

12.—The Commissioner to Mr. Drummond.

Department of Crown Lands,

Fisheries Branch,

Ottawa, 15th March, 1866.

SIR,

In reply to the questions asked by your letter, I have the honor to state, that the Department does not license any particular kind of

net or fixed-engine for fishing. The leases and licenses issued are for fishery stations, upon which the holders can use such methods of fishing and fish at such times as the law allows. There are therefore no means of ascertaining how many fixed-nets, or "stake-nets," or brush-weirs, are in existence since 1860; but there can be no doubt that in numbers and in catching powers the appliances used in salmon fishing have been reduced fully one-half since that year; and in addition to such diminution, the extent of fishing limits in every one of the salmon rivers has been materially decreased. The examples which show to what extent this has been done are chiefly among those on the North coast:—the Esquimaux river, formerly fished for thirty-seven miles up, is now fished for only six miles; the Natashquan river, formerly netted and completely barred for sixteen miles up, is now fished for about six miles; the two Watscheeshoo rivers and the Corneille, where Mr. Whitcher found most destructive netting going on, are now free of nets; the Romaine river and its fork, formerly fished for some twelve miles, is now closed entirely; so also is the Mingan with its branch the Manito; the St. John river formerly fished for twenty-seven miles up, and then speared at the Kettle twenty-six miles further up, has now only about four miles of netting limits; the Moisie River, formerly netted for twenty-four miles, and the N. E. branch barred across about three miles from its mouth, is now fished for about nine miles; the Trinity river, formerly netted for forty-three miles up, is now closed against nets; the Good-bout river formerly fished with nets for six miles, and sometimes with a barrier-net in two places, and seined in the pools above, has not been netted at all since 1860; the Betseie and Mistassini rivers formerly fished all along their course, have not been netted since 1859; the Laval river, formerly netted to destruction, has not been netted for three years; the Saguenay rivers have been six years without a net being placed in them; the Murray has not been netted for eight years, neither the Jacques Cartier, nor the two St. Anne rivers; the St. Francis which used to be barred, seined and speared, is now clear. These are but a portion of the wholen umbers so dealt with: and on the South shore, and at Gaspé, Bonaventure and Anticosti, similar reductions of excessive fishing have been effected.

The great increase in the numbers of adult salmon which has taken place, cannot be better illustrated than in the case of the river Moisie. In 1857, when upwards of 13,000 fathoms of nets were used in that river, the fish were so scarce that only 1,100 were taken; in

1859, the nets were thinned and the river leased, and since 1862, with an average of about 2,800 fathoms of set nets, the take of Salmon has been, one year with another, upwards of 10,000 and the stream is well stocked with large breeding fish; the average weight also of those caught has increased some 20 per cent.

In most of the streams salmon-fry are seen in very large numbers. Altogether, the improvement of the Salmon fishery is decided and highly encouraging.

I have the honor to be, Sir,

Your obedient servant,

ANDREW RUSSELL.

Assist. Commissioner.

GEO. A. DRUMMOND, ESQ., }
Montreal. }

P. S. The quantity of nets needed to fish the Moisie is about 7,000 fathoms, less than forty per cent of which are at any one time set, the remainder being for relays. The figures referring to this fishery include the bay stations and frontage limits outside, where the catch is from the breed in and frequenting Moisie river.

A. R.





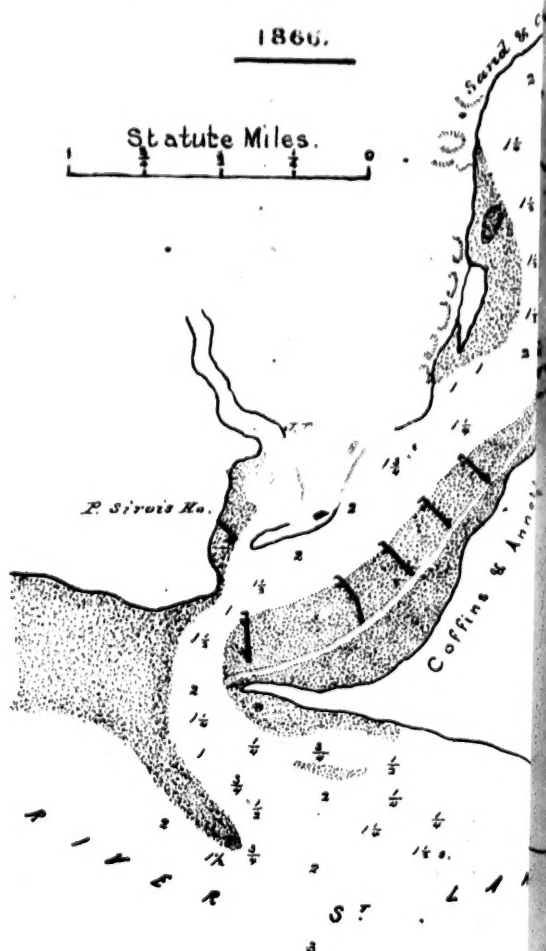
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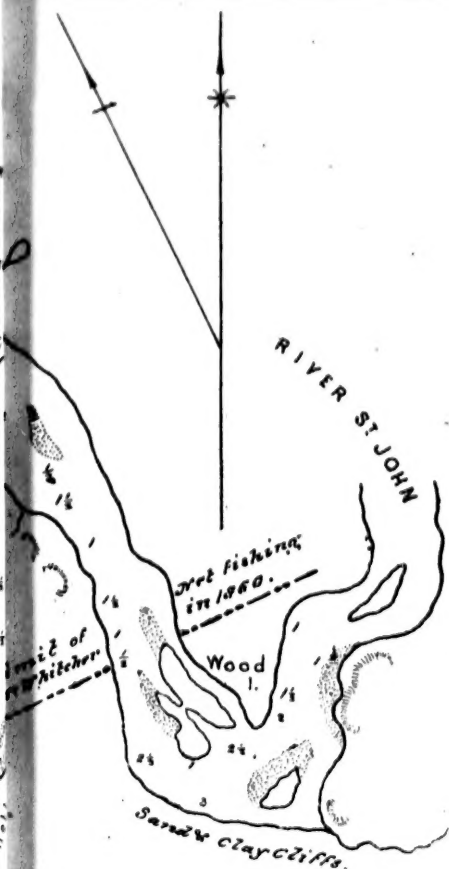
*showing the limits of Net Fishing
estuary, and the position of Salmon
therein during the season of*

1866.

Statute Miles.



S. P. Bousquet



DEPT OF CROWN LANDS,

Fisheries Branch,

Ottawa, 17th March 1867.

A. Russell

4th Class, Captain, Master
of the St. John River

SANITARY BOARD